

MINUTES
BOROUGH OF SOUTHMONT
September 18, 2000 7:00 p.m.

The scheduled September Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the September 18, 2000 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Rovansek, Mr. Krupa/8:15 p.m., Mr. Strittmatter, Mr. Kory, Mayor Lary Koval, Secretary/Treasurer: Judith Czyrnik, Solicitor: Daniel R. Lovette,
Engineer: David Duray, Street Commissioner: Jan Bosley, West Hills Police: Chief Andy Havas, Detective: George Musulin, Zoning Officer: Fred Pullen

ABSENT: Mr. Danyluk: Out of Town

Fire Dept.: Michael Butler: At a fire scene

VISITORS: Bruce Graham 163 State St.

President Pile asked for approval of the August 21, 2000 minutes and the Committee Meeting Notes of September 12, 2000. A motion was made by Mr. Rodgers to accept the minutes as presented. Seconded by Mr. Rovansek. All in favor, motion carried. Mr. Krupa and Mr. Danyluk absent.

At this time President Pile called on the visitors, Mr. Bruce Graham 163 State Street. Mr. Graham was in attendance on a follow-up of the Mayor and Police on the lower half of State Street to possibly find a way to slow the traffic down. Mayor Koval reported that he and Chief Havas looked at the signs on State Street and recommend that three speed limit signs be installed on the left side of State Street and three speed limit signs be installed on the right side of State Street. Also, a "Watch Children" sign should be installed in the area. After further discussion, a motion was made by Mr. Rodgers to approve the recommendations and install three "Speed Limit" signs on the left side of State Street, three "speed limit" signs on the right side of State Street and also a "Watch Children" sign. Seconded by Mr. Kory. All in favor, motion carried. Mr. Krupa and Mr. Danyluk absent. Mr. Graham requested a copy of the original data from the monitoring done by the West Hills Police as reported at the August meeting. After discussion, Chief Havas stated that he would pull the data up in the computer, at Council's wishes. He also will continue to monitor the area.

At this time Chief Havas and Mayor Koval reported on their recommendations on a request to install "No Parking" signs in the Kale Alley. At last months meeting, Fire Chief Butler reported that Kale Alley is essential for access to the properties on Gardner as well as Orchard Street, in an emergency. After a lengthy discussion on where to locate the signs, Mr. Rodgers made a motion to install appropriate "No Parking" signs in Kale Alley, as per previously approved at the August 21, 2000 meeting. Seconded by Mr. Pile. Motion carried. 4 yes, Mr. Rodgers, Mr. Strittmatter, Mr. Kory, Mr. Pile and 1 no-Rovansek. Mr. Krupa and Mr. Danyluk absent. Mr. Rovansek was concerned if the residents had any alternative parking area. Mr. Kory was concerned if this would set a precedent for other situations in alleys with the same problem. Further discussion was held.

POLICE CHIEF'S REPORT

Chief Havas's written report records revenue for the month of August at \$378.41. Chief Havas reported that all Officers are in the process of requalifying with their firearms to comply with In-service Training requirements. Officers made an appearance at a Block Party on Helen and Mabel Streets on August 26, 2000. Handouts were given to the children. Both children and parents were pleased with the presentation.

West Hills, Upper Yoder and Ferndale Police Department worked together in the rash of thefts from vehicles that have occurred recently. West Hills Officers both off duty and on duty patrolled our area on foot and on bike patrol in an attempt to apprehend the perpetrators. Chief Havas also reported on another incident where two men have been arrested for thefts in the Westmont, Southmont and many other areas from several years back. Detective George Musulin has worked very hard and most of the results in this arrest are due to Detective Musulin's investigation. Some prior thefts in Southmont are a part of this investigation. The investigation is continuing.

Chief Havas reported that the West Hills Police Commission meeting will be held at Brownstown for the next quarter.

ZONING OFFICERS REPORT

Mr. Pullen's report records 5 new permits were issued for this month with a construction cost of \$190,100.00. Mr. Pullen's written report records that a second building permit will be needed for the new home on Cheney Oak Drive. The permit will be needed for construction of the retaining walls to control the high embankments in the rear of the property. Mr. Pullen has been advised that the Day Care Center at 206 Violet Street will be closed on October 2, 2000 tentatively. Ms. Morse is going to begin working at the LaurelWood Convalescent Home. She will be operating a Day Care Center at the Home.

The Zoning Hearing Board did not reach a decision at the August 31, 2000 Hearing Board meeting of George Haidar of 1070 Luzerne Street. Mr. Haidar proposes to build a multiple parking lot on his property. Attorney Kiniry scheduled a meeting on October 5, 2000 to continue the appeal. Mr. Pullen reported that the property sale at the Condo has been finalized.

Mr. Pullen submitted his resignation as Zoning Administrator to the Council, effective December 31, 2000. President Pile expressed surprise that Mr. Pullen wished to resign. President Pile remarked that for the past 20 years Mr. Pullen has served Southmont Borough very well. Mr. Kory also expressed surprise and asked Mr. Pullen to reconsider. Mr. Kory remarked that the Zoning Administrator's job is often a thankless job and feels that Mr. Pullen has done a fine job. Mr. Pullen stated that he would not reconsider. With regret, Mr. Strittmatter made a motion to accept the letter of resignation. Seconded by Mr. Pile. All in favor, motion carried. Mr. Danyluk and Mr. Krupa absent. President Pile thanked Mr. Pullen for his service to the Borough. This vacancy will be discussed at the Committee meeting.

FIRE COMPANY REPORT

In Chief Butler's absence, the written report recorded 11 responses for the month of August. The Fire Department lost all radio communication from the lightning strike on August 6-7. Phone service, the fire band radio system, three base radio units, an encoder unit and personnel pager system. Both sirens are out of service. The Department is accepting estimates on repairing the damaged units.

President Pile asked for Council to review the Ambulance Agreement. We have on file an agreement from 1982 with the Westmont Fire Department for Ambulance Service. Our copy was never signed or dated. At the Committee meeting it was questioned how 911 dispatches a call for ambulance service. The 911 Dispatcher stated that the closest service is called. He also stated that Southmont is "committed" to Hilltop Ambulance. Residents of Southmont have membership with Hilltop Ambulance. In the event Hilltop Ambulance is unavailable, Upper Yoder would be called. In 1987 the Westmont Fire Department changed the Ambulance Services to the Hilltop Ambulance Association. This was accepted by Southmont by a motion. Solicitor Lovette's opinion is that we had a one year agreement in 1982, and if you do not follow the agreement we should terminate the agreement with a 90 day notice as specified in the agreement. Further discussion was held. With inaction, Council has allowed Hilltop Ambulance to solicit membership for servicing the Borough residents. It appears that we do not follow the 1982 agreement. The Borough pays no money to the Association. Residents purchase membership with the Ambulance Association individually. A motion was made by Mr. Strittmatter to give a 90 day notice to officially terminate the 1982 Westmont Fire Department Ambulance Agreement. Seconded by Mr. Rodgers. All in favor, motion carried. Mr. Danyluk and Mr. Krupa absent.

ENGINEER'S REPORT

Mr. David Duray, of Hinks and Locher Engineers reported that the Luzerne Street sanitary sewer project on the Sprague property is ready to start on or about October 5, 2000. Mr. Duray reviewed with Council the quotes on the landscaping removal on the Sprague property. Mrs. Sprague has been moving shrub and flowers on her own and the costs for the preservation of the trees and shrubs has now been worked out to \$2,661.00. This will take care of the removal of the fence and one or two trees. A motion was made by Mr. Rodgers to award Lichtenfels Nursery the project for the cost of \$2,661.00. Mr. Strittmatter seconded the motion. All in favor, motion carried. Mr. Danyluk and Mr. Krupa absent. Mr. Duray reported to Council on a request from President Pile to check the cost of re-milling of the curve at Olive St./Southmont Blvd. Quaker Sales. submitted a bid at \$800.00 and costs. This could be added to our Street paving inspection, then the cost would be cheaper. Mr. Duray checked the previous milling and it has resealed with the heat and the volume of traffic. Mr. Duray asked Council to meet with the new owners of Hinks & Locher Engineers, Paul Rizzo & Associates of Monroeville. President Pile recommended that this take place at the Committee meeting on October 10, 2000 at 7:00 p.m. At that time Council can meet and ask questions of Steve Adams one of the Principal owners. A Fall Street Inspection will be scheduled for sometime in October. Street Committee will be informed.

STREET COMMISSIONERS REPORT

Mr. Bosley's written report records that we have finally completed the signing of the PennDot Agility contract. Apparently the file was misplaced at the PennDot office. The line painting was done on September 14, 2000. Landscaping has been finished at the Ballfield/Soccer restrooms. Employees cleaned catch basins, picked up branches after the storms, cut grass at Borough properties and recycled every Thursday. We collected newspapers on August 12, 2000. Installed electrical service for the soda machines at the Restrooms.

Mr. Bosley got a price of \$1,232.00 for the commercial surge protection on the single phase line and the three phase line for the entire building. After discussion, Mr. Rodgers approved the lowest bid or spending up to \$1,232.00 for the surge protection. Mr. Bosley is to get two more prices. Seconded by Mr. Kory. All in favor, motion carried. Mr. Danyluk and Mr. Krupa absent.

Mr. Bosley mentioned that the Restrooms have been unlocked and the lights have been left on several times this past two weeks. Mr. Bosley checked on the cost of the outside vapor light. It will cost \$78.00 plus wiring and will be installed in the near future. Mr. Bosley suggested it be installed on the backstop for better lighting.

Mr. Bosley reported that we would not be crack sealing this Fall.

STREETS

Fall Street Inspection will be scheduled.

ADMINISTRATION/PERSONNEL COMMITTEE

The Personnel Committee discussed the Codification book at the Committee meeting on September 12, 2000. Several questions came up about which Ordinance takes precedent and there were some question on the penalties. Solicitor Lovette explained the precedent of the Ordinances and Mr. Ken Rotz of Fry Communication explained (in letter, dated September 18, 2000) the penalties as outlined in the proposed Ordinance to approve the Codification. After further discussion about Alley name changes, a motion was made by Mr. Rovansek to have the Solicitor prepare and advertise an Ordinance to officially name the Streets and Alleys in the Borough. Seconded by Mr. Rodgers. All in favor, motion carried. Mr. Danyluk and Mr. Krupa absent.

Mr. Krupa joined the meeting at this time. (8:15)

The Personnel Committee also discussed hiring seasonal employees, as needed. Mr. Rodgers stated that Mr. Bosley has permission to hire the seasonal employees and is to get approval at the next meeting.

A motion was made by Mr. Rodgers to approve the codification ordinance and to have the Solicitor prepare and advertise. Seconded by Mr. Rovansek. All in favor, motion carried. Mr. Danyluk, absent.

POLICE COMMISSION

Mayor Koval reported that Lower Yoder Township has accepted the West Hills Police Commission's proposed agreement. The next step is for Lower Yoder Township to send a written 90 day notice to dissolve their agreement with the City of Johnstown. Solicitors from all Municipalities involved will meet and prepare an agreement with West Hills Police Commission and Lower Yoder Township. Nothing will be signed before the agreement is in final form. The Commission's regular monthly meeting will meet held on September 19, 2000 at Brownstown Borough.

RECYCLING COMMITTEE

Report submitted. No further report.

INSURANCE COMMITTEE

Mr. Kory questioned if we need to periodically review the Insurance plans. There is no State requirement to do this. PIRMA does update and review, annually with the Secretary, the Insurance coverage that our plan has in effect. Mr. Rodgers stated that the Insurance Committee meets every several years to review Insurance costs and coverage.

BUDGET COMMITTEE

Mr. Rodgers reported that it is time to review and advertise for the Garbage and Spring Clean-up. A motion was made by Mr. Rodgers to advertise the Garbage Contract for bid opening on October 16, 2000. Seconded by Mr. Kory. All in favor, motion carried. Mr. Danyluk, absent.

Mr. Rodgers also informed Council that it was Budget preparation time again, and he has set a meeting for October 24, 2000 at 7:00 p.m. to begin preparing the 2001 Budget.

At the last Committee Meeting, it was decided that it was time to review and accept presentations from Engineering firms within the area. A letter will be sent to Engineering firms. A meeting has been set for October 10, 2000 to meet with Hinks & Locher Engineers and the new owners of their firm.

SHADE TREE

Mr. Krupa reported to Council that the list of trees that the Fire Company requested to be be trimmed has been completed. All low hanging branches and limbs were trimmed. Mr. Krupa kept the cost at \$1,000.00.

Mr. Krupa left a message for Jim Karafa of 231 Leon Street. Mr. Karafa attended a previous meeting of Council and requested that a tree in front of his property be cut down. Mr. Krupa and the Forest Ranger inspected the tree and both find the tree to be healthy. Mr. Krupa left a message with Mr. Karafa that he is not to trim or top this tree. He has topped tree on his own property and that is fine but he cannot top trees in the tree lawn area and would be subject to fines.

The trees in the 400 and 500 block of State Street need to be inspected and recommendations sent to residents who need to trim the trees.

RECREATION/PLAYGROUND COMMITTEE

Mayor Koval reported that the Fall brochures have been mailed. The Ridge annual picnic was very well attended.

BUILDING /GROUNDS COMMITTEE

Mr. Kory asked if Mr. Bosley would look at the rear of the Diamond Blvd. sheds. Kids do play in this area and continue to pile debris around the shed.

COG REPORT

Mr. Rovansek reported that the bidding on the salt for the year 2000 is up about 15% from last year. The anti-skid prices are about the same as last year.

CHAPIN ARCH

Mr. Kory asked if Solicitor Lovette could send a letter requesting from PennDot the status of the deeds that are to be transferred to Southwestern Conservancy. This will be done and a carbon copy sent to the Conservancy.

MAYOR'S REPORT

No further report.

SOLICITOR

Solicitor Lovette prepared a Sewage Pretreatment Ordinance, to amend our previous ordinance, which prohibits the introduction of pollutants into the wastestream system, as requested by the Johnstown Redevelopment Authority. It has been advertised. A motion was made by Mr. Rodgers to approve Ordinance No 421. Seconded by Mr. Krupa. All in favor, motion carried. Mr. Danyluk absent.

A motion was made by Mr. Strittmatter to approve Resolution 2000-11 to amend an agreement for the termination of water service for delinquent sewer bills. Seconded by Mr. Krupa. All in favor, motion carried. Mr. Danyluk absent.

SECRETARY'S REPORT

Mr. Krupa presented Resolution No. 2000.12, Cambria County Pathways to Progress Plan. The Resolution is in support, not endorse, the Cambria County Commissioners Pathway to Progress plan to develop an effort to improve the quality of life in Cambria County. A motion was made by Mr. Krupa to approve the Resolution 2000-12 in support. Seconded by Mr. Strittmatter. All in favor, motion carried. Mr. Danyluk, absent.

Waste Management Inc., our present garbage collector, had sent a surcharge increase of \$60.72 in our monthly contract price due to the recent fuel cost increases. Solicitor Lovette stated our contract does not provide for and would not allow for any increase. Council agreed to follow the contract price. The annual Fall Brush Clean-up will be October 16th, 17th, and 18th and will be advertised. A motion was made by Mr. Rodgers to approve the Fall Clean-up schedule and advertise. Seconded by Mr. Krupa. All in favor, motion carried. Mr. Danyluk absent.

The Borough of Southmont is still trying to set up a meeting with Upper Yoder's Engineer to determine what they found after we submitted our calculations to them last fall pertaining to the Upper Yoder Township sewer rental fees. Our increase for 2000 sewer rental fees has not been resolved. An outstanding balance of \$2,000.00 remains. A motion was made to accept the Secretary's Report by Mr. Rodgers. Seconded by Mr. Kory. All in favor, motion carried. Mr. Danyluk absent.

Mrs. Czyrnik presented the 2000 Minimum Municipal Obligation (MMO) as required by Act 205.

TREASURER'S REPORT

A motion was made by Mr. Rodgers to approve the August Treasurer's report as presented in the amount of \$393,943.16. Seconded by Mr. Kory. All in favor, motion carried. Mr. Danyluk absent.

TAX COLLECTOR'S REPORT

A motion was made by Mr. Rodgers noting that the Borough has received the August Tax Collector's report with RE collections of \$1,509.85 and PC collections of \$88.00. Seconded by Mr. Kory. All in favor, motion carried. Mr. Danyluk absent.

PAYMENT OF BILLS

A motion was made by Mr. Rodgers to approve payment of the bills, in the amount of \$21,152.63. Seconded by Mr. Kory. Roll Call: Mr. Rodgers, Mr. Rovansek, Mr. Strittmatter, Mr. Kory, Mr. Krupa, Mr. Pile. All in favor, opposed none. Mr. Danyluk absent.

OLD BUSINESS

President Pile asked for review of items on the "Tickler List". Items were reviewed, removed or relisted. Some new items will be added. Completed items were removed.

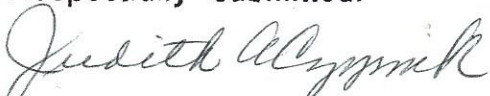
NEW BUSINESS

A meeting was set for October 10, 2000 at 7:00 p.m. The PSAB Fall Conference will be in Erie, PA October 27-29. President Pile suggested Council attend the Municipal Financing workshop to be presented by Wessel Inc. on October 4, 2000 from 3 to 5 p.m. at the Holiday Inn, downtown.

Council is in receipt of a letter from Mr. Reynolds of Diamond Blvd. in reference to his effort in having a mailbox returned to Diamond and Menoher.

Meeting adjourned at 9:05 p.m.

Respectfully submitted.



Judith A. Czyrnik,
Borough Secretary